

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

EDDIE RENCHER, JR.,

Petitioner

v.

GARRETT, *et al.*,

Respondents

Case No.: 2:22-cv-00704-JAD-VCF

**Order Dismissing Petition as Second and
 Successive**

On August 31, 2022, I directed Eddie Rencher, Jr. to show cause why the court should not dismiss his *pro se* 28 U.S.C. § 2254 petition for writ of habeas corpus petition as second or successive to *Rencher v. Williams, et al.*¹ In response, Rencher filed what he styled as a motion showing good cause.² But his filing only sets forth three claims of ineffective assistance of counsel; he does not address whether his petition is second and successive. Rencher has already acknowledged that he previously challenged this judgment of conviction in this court in *Rencher I*.³ As I explained previously, before filing a second or successive petition in this court, Rencher needed to first obtain authorization from the Ninth Circuit Court of Appeals.⁴ As he has not shown that his petition is not successive or that he received authorization from the Ninth Circuit to file a successive petition, I must dismiss it.

IT IS THEREFORE ORDERED that the Clerk of Court is directed to **FILE** the petition [ECF No. 1-1].

¹ ECF No. 7; Case No. 2:12-cv-01258-APG-GWF (D. Nev. Mar. 31, 2017) (“*Rencher I*”).

² ECF No. 9.

³ *Id.*

⁴ *See* 28 U.S.C. § 2244(b).

1 IT IS FURTHER ORDERED that the petition is **DISMISSED** as second and successive.

2 IT IS FURTHER ORDERED that petitioner's motion showing good cause [ECF No. 9]
3 is **DENIED**.

4 IT IS FURTHER ORDERED that no certificate of appealability will issue.

5 IT IS FURTHER ORDERED that the Clerk is directed to ENTER JUDGMENT
6 accordingly and CLOSE THIS CASE.

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9 U.S. District Judge Jennifer A. Dorsey
October 31, 2022
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